

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Examiner : Michael S. Chambers  
Art Unit : 3711  
Appellant : David Morrow  
Serial No. : 10/642,879  
Filing Date : August 18, 2003  
For : LACROSSE HANDLE  
Attorney Docket : 086624.130516

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

In response to the Notification of Non-Compliant Appeal Brief mailed July 31, 2009, attached is the requested Status of Claims section listing the status of all claims.

[Remainder of page intentionally left blank.]

Applicant : David Morrow  
Application No. : 10/642,879  
Page No. : 2

### III. Status of Claims

Claims 41, 42, 44-47, 50-52 and 54-56 are pending and finally rejected. Claims 1-40, 43, 48-49 and 53 are cancelled. Appellant appeals with respect to claims 54-56.

Appellant does not appeal with respect to the rejections of claims 41 and 44 under 35 U.S.C. 112, or the rejections of claims 41, 42, 44-47, 50-52 under 35 U.S.C. 103. Appellant will address the rejections of these claims following the outcome of this appeal. In addition, Appellant does not appeal with respect to the provisional double patenting rejection of claims 41 and 54. If any claims of this application are allowed and a Terminal Disclaimer is necessary, Appellant will file a Terminal Disclaimer.

Applicant : David Morrow  
Application No. : 10/642,879  
Page No. : 3

In view of this submission, Appellant submits that the Appeal Brief is in proper form.

Respectfully submitted,

WARRIOR SPORTS, INC.

By: Warner Norcross & Judd LLP

/Chad E. Kleinheksel/

Chad E. Kleinheksel  
Registration No. 53 141  
900 Fifth Third Center  
111 Lyon Street, N.W.  
Grand Rapids, MI 49503-2489  
(616) 752-2313